

Confidential Minutes of the Ordinary Meeting of Council of the City of Holdfast Bay held in the Council Chamber, Glenelg Town Hall, Moseley Square, Glenelg, on Tuesday 13 February 2019.

17. ITEMS IN CONFIDENCE

- 11.3 **Motion on Notice – Rescission Motion – Footpath Encroachment – Purchase of Land – Portion of 15 Pine Avenue, Kingston Park [C290119/1365] - Councillor Lonie**
(Report No: 60/19)

Councillor Lonie declared a perceived conflict of interest for the item 11.3 Footpath Encroachment – Purchase of Land – Portion of 15 Pine Avenue Kingston Park, Report Number: 18/19. The nature of her perceived conflict of interest (pursuant to Section 74 of the *Local Government Act 1999*) is that she lives on Pine Avenue Seacliff on the other side of the train tracks. Councillor Lonie dealt with her interest by remaining in the chamber and believed she could still contribute to the debate for the interest of the greater Community.

Motion

C120219/1377

Recommendation – Exclusion to the Public – Section 90(3)(a) Order

1. That pursuant to Section 90(2) of the *Local Government Act 1999* Council hereby orders that the public be excluded from attendance at this meeting with the exception of the Chief Executive Officer and Staff in attendance at the meeting in order to consider Rescission Motion – Footpath Encroachment – Purchase of Land – Portion of 15 Pine Avenue, Kingston Park [C290119/1365] - Councillor Lonie (Report No: 60/19).
2. That in accordance with Section 90(3) of the *Local Government Act 1999* Council is satisfied that it is necessary that the public be excluded to consider Rescission Motion – Footpath Encroachment – Purchase of Land – Portion of 15 Pine Avenue, Kingston Park [C290119/1365] - Councillor Lonie (Report No: 60/19) on the following grounds:
 - d. pursuant to section 90(3)(d) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information in that it would confer a commercial advantage on a third party as it relates to the value of residential land.

In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information.

- 3. The Council is satisfied, the principle that the meeting be conducted in a place open to the public, has been outweighed by the need to keep the information or discussion confidential.**

Moved Councillor Lonie, Seconded Councillor Bouchee

Carried

The elected members discussed item 11.3, Motion on Notice – Rescission Motion – Footpath Encroachment – Purchase of Land – Portion of 15 Pine Avenue, Kingston Park [C290119/1365] - Councillor Lonie (Report No: 60/19), in confidence.

The discussion was retained in confidence.

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